

Michigan Senate Judiciary Committee  
Senators Jones, Schuitmaker, Rocca, Colbeck, and Bieda  
20 September 2016

I am here in full support of SB 1029, 1030, 1076, 1077, and 1078.

I am an avid and accomplished cyclist who has been riding since 2008. I ride thousands of miles every year: bike paths with my daughters, dirt roads and single track on my mountain bike, weekly club rides, long-distance randonneuring brevets, and week-long tours. I have taught a course on non-motorized transportation at Adrian College where I work. I was recently hired by the League of Michigan Bicyclists to serve as their Tour Director. And I volunteer regularly at Re-Bicycle Lenawee, a not-for-profit community bicycle shop in Adrian, Michigan.

The number of miles I log annually makes me intimately familiar with the environment on Michigan roads. I am tremendously grateful for drivers who are alert, attentive, knowledgeable, conscientious, and respectful toward cyclists and other non-motorized road users. Unfortunately, there are far, far too many drivers who are unaware, inattentive, distracted, ignorant, and disrespectful.

Only two months ago, on Saturday, July 23, I was hit by a drunk driver while riding my bicycle near Coldwater, Michigan. I was rendered unconscious, and sustained fifteen fractures. My cheekbone had to be surgically reconstructed. The driver fled the scene and left me for dead. This event has changed my life at the most fundamental levels. I have suffered profound physical injury. Emotional and psychological trauma have led to extraordinary stress and anxiety. Not only has this made it difficult to function normally day to day; it has also severely impacted my ability to prepare and teach classes, conduct research, and write. Moreover, it has prevented me from performing my duties as Tour Director for the League of Michigan Bicyclists and therefore I have lost income. What is by far worse than all of these combined is the impact this has had on my wife and children. Since returning home from the hospital, my youngest daughter has not kissed me on my right cheek due to the scars that are now a permanent part of my face, thanks to the driver who hit me while I was riding my bicycle on a public road.

I know that the Bills you are considering today would not on their own have necessarily prevented this driver from hitting me. But they will go a long way in preventing future tragedies and in holding drivers accountable for their actions when they choose to operate a motor vehicle.

People in Michigan need and deserve these protections, and you have the power to provide them. Being a responsible cyclist is not enough. I ride cautiously and defensively. I wear a helmet. I wear a mirror on my sunglasses. I make use of a flashing taillight. I ride as far to the right side of the road as is reasonable and safe. These behaviors are not raising awareness of cyclists on public roads. They are not preventing drivers from passing me too closely. They are not forcing drivers to pay attention. And they are not discouraging irresponsible behavior by holding drivers accountable for their actions with the enforcement of strict penalties.

Not everyone who injures or kills a cyclist is acting maliciously or recklessly. Many are acting ignorantly. Laws like these will help raise awareness and equip drivers to do the right thing by providing them with a concrete way to gauge their actions, and

by discouraging negligence with the threat of harsher, more substantive penalties. Furthermore, passing these Bills will make roads safer, thereby encouraging more people to walk and ride bicycles. In turn, the greater number of people walking and riding bicycles will continue to increase the level of awareness resulting in safer driving behavior. Finally, passage of these Bills will provide both law enforcement and the courts with additional means of punishing drivers for unsafe driving behavior thereby discouraging such practices.

Non-motorized use of our roadways is on the rise. Some individuals walk or ride bicycles because circumstances dictate that they do so. Others walk and bicycle by choice, recognizing the many and diverse ways in which doing so benefits their health, finances, community, and quality of life. The vast majority, if not all, of these individuals, do just as much to help pay for transportation infrastructure as the drivers of the motorized vehicles with whom they share it. However, they are at far greater risk, and are far more susceptible to serious injury or death, when they use that infrastructure than someone in a 2,000-pound vehicle.

While this is a matter of law and an issue of rights, what is at stake in this discussion is something much more important and of infinitely greater value: namely, human life and human decency. When I ride my bicycle on a public road, I am not a thing, or an obstacle; I am a human being. When someone passes too closely to me, whether because they did not know I am allowed to be there, or they have inaccurately judged the distance, or they are distracted, or they are intoxicated, or they presume to teach me a lesson about where I belong, they threaten to leave my wife a widow and my children fatherless. This is unacceptable, and something must be done to stop it.

Thank you for your consideration.

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